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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,928	07/03/2003	Mark Pregeant	13927	4686
30238	7590	12/13/2004	EXAMINER	
RAYMOND G. AREAUX 1100 POYDRAS STREET, SUITE 2700 NEW ORLEANS, LA 70163			SMITH, JAMES G	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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12072004

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

See attachment.

James G. Smith  
Primary Examiner  
Art Unit: 3723

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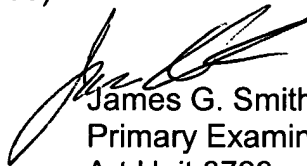
1. The timely submission under 37 CFR 1.129(a) filed on 26 October 2004 is not fully responsive to the prior Office action because the rejected claims were not argued or cancelled. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.
2. The mere withdrawal of all claims over the required 30, is not a valid response to a ground of rejection. Withdrawal of claims is valid in response to a requirement for election where applicant is preserving the right to have the withdrawn claims reinstated by way of petition. All the claims in the application are rejected and the requirement was made that only 30 or less claims will be allowed to be considered. All other claims must be cancelled, not withdrawn. If applicant disagrees with the ground of rejection he may argue and if the examiner continues to reject the claims, an appeal can be filed.
3. The only valid response to the first office action is submitting only 30 claims or less for examination, canceling all others.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James G. Smith whose telephone number is 571-272-4496. The examiner can normally be reached on M-Th (7:05- 4:35) Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail, III can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
James G. Smith  
Primary Examiner  
Art Unit 3723

jgs  
12/7/04